

## Denise Buckley

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**From:** Denise Buckley  
**Sent:** Thursday, July 13, 2017 5:11 PM  
**To:** 'Leo Glickman'  
**Subject:** RE: Burks depos

Leo,

Sgt Cross has very limited availability and July 24<sup>th</sup> is his only available date in the next few weeks. He will be available on July 24<sup>th</sup> at 1pm, as previously advised. You previously advised that you were available on July 24<sup>th</sup>, so I am surprised that you are now saying you are not available on that date. Can you please make yourself available on July 24<sup>th</sup> at 1pm? If not, do you have any availability in August? If so, I will check with Sgt Cross to see if we can reschedule.

Sgt Nolan is available for deposition on July 28<sup>th</sup> at 1pm.

Supt Racette is out of town on July 18<sup>th</sup>. He is available July 20<sup>th</sup> at 11 am.

Supt Kirkpatrick is available July 19<sup>th</sup> at 1pm.

CO Stickney is available July 25<sup>th</sup> at 11 am.

As for the identities of number 9 and 10, we will have to seek a ruling from the court. DOCCS' offer was to provide the contact details for people identified as being involved in the alleged incident of July 5<sup>th</sup>. Plaintiff did not identify any of the people in the photo arrays as being involved in the alleged incident of July 5<sup>th</sup>.

I will get the responses to your requests for admissions within 30 days of service of your notices. I will try to accommodate your request to respond sooner than that, but I cannot guarantee a quicker turn around time.

Best regards,

### Denise Buckley | Assistant Attorney General

Litigation Bureau  
NYS Office of the Attorney General  
State Capitol | Albany, NY 12224  
Tel: (518) 776-2294 | Fax: (518) 915-7738 | [denise.buckley@ag.ny.gov](mailto:denise.buckley@ag.ny.gov)

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**From:** Leo Glickman [mailto:[lglickman@stollglickman.com](mailto:lglickman@stollglickman.com)]  
**Sent:** Thursday, July 13, 2017 4:10 PM  
**To:** Denise Buckley <[Denise.Buckley@ag.ny.gov](mailto:Denise.Buckley@ag.ny.gov)>  
**Subject:** RE: Burks depos

Depo schedule proposed:\*

- Racette July 18 @ 11 am
- Kirkpatrick July 19 @11 am
- Cross July 20 @10 am)
- Stickney July 25 @ 11 am
- July 28 – hold for pepper and smith.

\*You are required I believe to divulge to me who was number 9 and 10 in the photo array today. Depending on who number 10 is, and if he is a named defendant, we will want to depose that person on the 27<sup>th</sup>. If he is not a party, we will want to depose wood and chamberlain that day. As for Nolan, I cannot do a deposition on the 24<sup>th</sup>. Can we do anytime between the 25<sup>th</sup> and 28<sup>th</sup> and work the schedule of others around that? Also, as to pepper and smith, if we can get responses to the requests for admission back on them in the next two weeks, it may obviate the need to depose them.

Leo Glickman  
Stoll, Glickman & Bellina, LLP  
718-852-3710  
[www.stollglickman.com](http://www.stollglickman.com)

Brooklyn office:	Uptown Manhattan Office:
475 Atlantic Ave., 3 <sup>rd</sup> Floor	5030 Broadway, Ste. 652
Brooklyn, NY 11217	New York, NY 10034

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**From:** Denise Buckley [<mailto:Denise.Buckley@ag.ny.gov>]  
**Sent:** Wednesday, July 12, 2017 4:57 PM  
**To:** Leo Glickman <[lglickman@stollglickman.com](mailto:lglickman@stollglickman.com)>  
**Subject:** RE: Burks depos

Hi Leo,

Apologies, I was just going to e-mail you. Plaintiff's deposition is confirmed to proceed this Friday, July 14<sup>th</sup>, at 10 am. The facility has arranged for an interview room to be available so that you may meet with your client from 9 am to 10am.

It looks like we will be able to conduct the depositions of the seven defendants you wish to depose from July 18<sup>th</sup> through 21<sup>st</sup> and July 25<sup>th</sup>, 27<sup>th</sup> and 28<sup>th</sup>. This is on the assumption of one deposition per day with each one starting at 11 am. I just need to confirm who will be attending on which date. If you think it will be possible to conduct two depositions on one date, let me know what dates and times you propose to do that and I will see if that can be arranged.

If, for any reason, we need to rearrange those dates, are you available any time after the week of July 24<sup>th</sup>? I recall you mentioned previously that you will be away for two weeks in August, but I do not recall the exact time frame.

Best regards,

**Denise Buckley | Assistant Attorney General**  
Litigation Bureau  
NYS Office of the Attorney General  
State Capitol | Albany, NY 12224  
Tel: (518) 776-2294 | Fax: (518) 915-7738 | [denise.buckley@ag.ny.gov](mailto:denise.buckley@ag.ny.gov)

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**From:** Leo Glickman [<mailto:lglickman@stollglickman.com>]  
**Sent:** Wednesday, July 12, 2017 4:50 PM

**To:** Denise Buckley <[Denise.Buckley@ag.ny.gov](mailto:Denise.Buckley@ag.ny.gov)>

**Subject:** Burks depos

Denise please, I need lead time to make travel plans and set up office time to conduct these depositions. First, can you please confirm that we are going forward on Friday with my client so that I can make a hotel reservation, etc. Second, can you please let me know when I can depose the defendants. Thank you.

Leo Glickman  
Stoll, Glickman & Bellina, LLP

5030 Broadway, Ste. 652  
New York, NY 10034

475 Atlantic Avenue, 3rd Floor  
Brooklyn, NY 11217

P: 718-852-3710  
F: 718-852-3586  
[www.stollglickman.com](http://www.stollglickman.com)

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